IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.13677 of 2004

Between:

1 Marriamma Mathew, D/o.Mathew M.T.,
Visakhapatnam District.
2 Josmy George, D/o.George Joseph,
Visakhapatnam District.
3 Sincy Mathew, D/o.M.C.Mathew,
Visakhapatnam District.
4 Sweety Ekka, D/o.Dular Ekka,
Visakhapatnam District.
5 Jasinta Kumari, D/o.Matru Uraon,
Visakhapatnam District.
6 Indira, D/o.Kalimuthu,
Visakhapatnam District.
7 Josna Runda, D/o.Mothi Runda,
Visakhapatnam District.
8 Sumina K.M., D/o.Mohanan K.V.
Visakhapatnam District.
9 Manitha Devi, D/o.V.K.Vasu,
Visakhapatnam District.
10 Shja Mathew, D/o.M.C.Mathew,
Visakhapatnam District.
11 Jincy E.K., D/o.Kuruvila,
Visakhapatnam District.
12 Bindya P.T., D/o.Thankappan A.N.,
Visakhapatnam District.
13 Binsi Varghese K., D/o.Varghese Y.,
Visakhapatnam District.
14 Bini K., D/o.Johny Eappan,
Visakhapatnam District.
15 Reeja Mathew, D/o.T.V.Mathew,
Visakhapatnam District.
16 Shoney Uthappan, D/o.T.E.Uthappan,
Visakhapatnam District.

17 Jancy K.George, D/o.George Kutty K.
Visakhapatnam District.
18 Bini Radha Krishnan, D/o.P.Radhakrishnanan,
Visakhapatnam District.
19 Sasikala S.S., D/o.K.T.Sasi,
Visakhapatnam District.
20 Merly Jose, D/o.Jose,
Visakhapatnam District.
21 Kalyani Mondal, D/o.Robin Kumar Mondal,
Visakhapatnam District.
22 Subi Sara Varghese, D/o.T.E.Varghese,
Visakhapatnam District.
23 Kanakalata Mondal, D/o.dhiren Chandra Mondal,
Visakhapatnam District.
24 Sangeeta lakra, D/o.Benedict Lakra,
Visakhapatnam District.
25 Indumol Thomas, D/o.Thomas,
Visakhapatnam District.
26 Ramya V.C., D/o.Chandran V.R.,
Visakhapatnam District.
27 Alexi Thomas, D/o.Thomas,
Visakhapatnam District.
28 Salma Bibi, D/o.Enyat Ali,
Visakhapatnam District.
29 Veeraman, D/o. V.Murugheshan,
Visakhapatnam District.
30 Bangasri Barman, D/o.Binodbehari Baraman,
Visakhapatnam District.
31 Shanu Anjna Ekka, D/o.Sudhir Kumar Ekka,
Visakhapatnam District.
32 Rupam Sushma Sanga, D/o.Jams Sanga,
Visakhapatnam District.
33 Chaitali Mahato, D/o.Denendra Nath Mahato,
Visakhapatnam District.
34 Reeba C.Kurian, D/o.P.C.Kurian,
Visakhapatnam District.
35 Jensy E.K., D/o.Kujumon.M.,
Visakhapatnam District.
36 Betty Philip, D/o.Philipose O.V.,
Visakhapatnam District.
37 Jincy P.Alex, D/o.Alezander E.,
Visakhapatnam District.
38 Bincy T.Varghese, D/o.A.V.Thankachen,
Visakhapatnam District.
39 Jeena Jacob, D/o.M.S.Jacob,
Visakhapatnam District.
40 Sheeja Annamma John, D/o.John George,
Visakhapatnam District.
41 Deepthy Narayanan, D/o.P.D.Narayanan,
Visakhapatnam District.
42 Sini K.D., D/o.Philip John,
Visakhapatnam District.
43 Anamma Philip, D/o.Philip John,

Visakhapatnam District.
44 Sheeja, D/o.J.Ramu,
Visakhapatnam District.
45 P.Sudha Rani D/o.Syam Babu,
Visakhapatnam District.
46 Asha John K., D/o.K.M.John,

(All are Students of Gravismed's School of Nursing, Visakhapatnam, Visakhapatnam District.)

...PETITIONERS

AND

1. The Government of A.P.,rep.by its Prl.Secretary, Medical Health & Family Planning, Secretariat Buildings, Hyderabad.

2. The Government of A.P., rep.by its Director of Medical Education A.P. & Chairman Board of Examinations for General Nursing and Midwifery (BEGNM) A.P., Hyderabad.

3. The King George Hospital, rep.by its Superintendent, Visakhapatnam, Visakhapatnam Dist.

4. The Principal, Gravismed's School of Nursing, Visakhapatnam, Visakhapatnam Dist.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, writ or direction more particularly in the nature of writ of Mandamus declaring the action of the 2nd and 3rd respondents in not allowing the students/petitioners to pay the examination fee for III Year along with the failed subjects of the II year as illegal, arbitrary and violation of Article 14 of the Constitution of India and consequently direct the respondents 2 and 3 to permit the petitioners for the examinations to be held July/August, 2004 by receiving the examination fee for III year along with II year failed subjects in General Nursing and Midwifery courses in Gravismed's School of Nursing, Visakhapatnam, Visakhapatnam District.

Counsel for the Petitioners: MR.K.VISWANATHAM

Counsel for the Respondent Nos.1 to 3: GP FOR MEDICAL HEALTH & FAMILY WELFARE and GP for Education

Counsel for the Respondent No.4: Ganduri Nageswara Rao, Advocate.

The Court made the following:

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ORDER:

Sri K.Viswanatham, learned counsel for the petitioners seeks permission of this Court to withdraw the Writ Petition. Permission is accorded. The Writ Petition is dismissed as withdrawn.

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(V.V.S.RAO, J)

16th August 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Prl.Secretary, Government of A.P., Medical Health & Family Planning, Secretariat Buildings, Hyderabad.

2. The Director of Medical Education A.P. & Chairman Board of Examinations for General Nursing and Midwifery (BEGNM) A.P., Government of A.P., Hyderabad.

3. The Superintendent, King George Hospital, Visakhapatnam, Visakhapatnam Dist.

4. The Principal, Gravismed's School of Nursing, Visakhapatnam, Visakhapatnam Dist.

5. Two CCs to GP for Medical Health & Family Welfare, High Court Buildings, Hyderabad (OUT).

6. Two CCs to GP for Education, High Court Buildings, Hyderabad (OUT).

7. Two CD copies.